

LIST OF EXHIBITS

for

Defendants' Motion for Summary Judgment
as to Breach of Fiduciary Duty

1. Exhibits Identified by Neither Party as "Confidential" or "Attorney's Eyes Only"

- A. *Jeffrey Greenfield Deposition, referenced pages*
- B.-K. See Confidential Exhibits List, *infra*
- L. *Greenfield Affidavit in Support of Motion for Summary Judgment*
- M.-N. See Confidential Exhibits List, *infra*
- O. Out of Region Authority: *Meinhard v. Salmon*, 249 N.Y. 458, 164 N.E. 545 (1928).

2. Exhibits Identified by Parties as "Confidential" or "Attorney's Eyes Only"

The following documents filed in a sealed envelope March 1, 2010, pursuant to Local Rule 5.03, and pursuant to Consent Protective Order filed 8/7/2009, to protect confidentiality.

- A. NOT CONFIDENTIAL [Jeffrey Greenfield Deposition]
- B. Bates-labeled Greenfield/1st Approach 000618 – 000619
D's Exhibit 48 to Joseph Erwin Deposition
- C. *Joseph Erwin Deposition, referenced pages*
- D. Documents Bates-labeled EP000029 through EP000034
D's Ex 51 to Erwin Depo, e-mail correspondence
- E. Documents Bates-labeled EP000124 and EP000132
Amazing Grace "deck"
- F. Document Bates-labeled EP226789
WGA registration
- G. Document Bates-labeled Greenfield/1st Approach 000346
D's Ex. 79 to Erwin Depo
- H. Document Bates-labeled EP000276 & EP000422
D's Ex. 82 to Erwin Depo
- I. Document Bates-labeled EP000690
D's Ex. 83 to Erwin Depo
- J. Document Bates-labeled Greenfield/1st Approach 000281
Erwin Deposition Defendant's Exhibit 84
- K. Document Bates-labeled EP226815
Presentation "deck" April 26, 2006
- L. NOT CONFIDENTIAL [*Greenfield Aff. in Support of Motion for Summary Judgment*]
- M. Document Bates-labeled EP003252
Internal Erwin-Penland e-mail message
- N. Documents Bates-labeled EP050532 and EP050535
Internal Erwin-Penland e-mail messages (2)

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

HILL HOLLIDAY CONNNORS
COSMOPULOS, INC., d/b/a
ERWIN-PENLAND,
Plaintiff,

C.A. 6:08-3980-GRA

vs.

JEFFREY GREENFIELD and
1ST APPROACH, LLC,
Defendants and
Third-Party Plaintiffs.

COPY

vs.

CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS, and
JOSEPH A. ERWIN,
Third-Party Defendants.

DEPOSITION OF: JEFFREY GREENFIELD

DATE: October 21, 2009

TIME: 9:00 a.m.

LOCATION: McNair Law Firm
104 South Main Street
Greenville, SC 29601

TAKEN BY: Counsel for Plaintiffs

REPORTED BY: KENNETH MCCLURE,
Registered Merit Reporter

A. WILLIAM ROBERTS, JR. & ASSOCIATES
Fast, Accurate & Friendly

Charleston, SC (843) 722-8414	Hilton Head, SC (843) 785-3263	Myrtle Beach, SC (843) 839-3376
Columbia, SC (803) 731-5224	Greenville, SC (864) 234-7030	Charlotte, NC (704) 573-3919

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1 put together an Excel spreadsheet showing what the
2 different options were. And the spreadsheet was
3 sent off to someone at Verizon.

4 Q. You had no input into that, did you?

5 A. No. I didn't think it was appropriate for
6 me to, because I was intimately involved, so,
7 obviously, I would, you know, vote more for my
8 different options. I didn't want to do a
9 partnership with AOL or anything like that. But it
10 wasn't -- I wasn't tasked to do that.

11 And there was -- after that, I think we
12 followed up, and then there was -- that was in May.
13 And then I think there was another deck, or
14 something, that was done in June.

15 We had a conference call to talk about what
16 the different options were, and going back to
17 Verizon again. The substance of the conference call
18 was, you know, we sent them off these different
19 options, and there is interest, but we have to move
20 fast because they are going out to other agencies,
21 essentially. Something like that. So we had to get
22 back to them with a different model so that they can
23 test it, kind of a lower-cost type model.

24 Q. Because Verizon had rejected the idea that
25 you had put forth in the second pitch, correct?

1 Caucasian patrons.

2 And they said no. Because they had --
3 apparently they had accessed all their current
4 marketing that they were doing. So I said okay.
5 And then -- I'm trying to think the sequence of
6 things at this point.

7 They told me that it was fried -- a lot of
8 fried food. And I recall it was primarily Joe doing
9 a lot of the talking at this point. I don't
10 remember Shannon saying much. She was mainly there,
11 probably taking notes or something. And, I think,
12 whoever else was there interjected some things about
13 locations and stuff like that. That's what I've got
14 so far.

15 Q. That was the whole conversation?

16 A. You know, I don't think so. I think, on
17 that call is where I said, well, you know, we should
18 do something -- at this point, if it's African
19 American, and you've got African Americans, and
20 you're down in the south, we should try to do
21 something -- if you want to do something branded and
22 something big, we should do something utilizing the
23 church and utilizing church choirs.

24 I said, I could create and I could put
25 together a program kind of like an "American Idol"

112

1 They told me what the spend was per year,
2 their budget. I don't remember what that was. And
3 they wanted to know, you know, how can we integrate
4 brand entertainment into this? What can you do? So
5 I --

6 Q. Did they literally say that?

7 A. Well, I mean, that was the purpose for the
8 call, was to see what I could kind of come up with.
9 So my understanding was, the purpose of the phone
10 call was, they were going to be presenting to me,
11 explaining to me, who the client was that they were
12 pitching, what the parameters of it were, and then,
13 you know, let's enter into a discussion and see what
14 we can kind of come up with.

15 Q. Okay. Tell me as best you can recall who
16 said what.

17 A. So then I asked a series of questions,
18 asking about, you know, where were the -- where was
19 the restaurant chain located? And someone said it
20 was primarily in the south. I said, all right.

21 And then I said, you know, what is the -- I
22 think that they told me it skewed African American.
23 And I said, what have they done marketingwise for
24 African American. Meaning, have they done different
25 types of marketing for African American versus their

1 Q. What did you say back? Did you tell me
2 what you said back, other than, "Yes, I'm still
3 interested"?

4 MR. JEKEL: Objection to the form of the
5 question. Asked and answered.

6 A. Yes, that's what I said: Yes, I'm still
7 interested.

8 Q. Okay. That's it. All right.

9 When you went on the pitch for Verizon, you
10 said you paid your own way there, correct?

11 A. Yes.

12 Q. You understood that it was a pitch to get
13 business, right?

14 A. Of course.

15 Q. That, if you didn't get the business, then
16 you wouldn't have the work, right?

17 A. That's correct, yes.

18 Q. You had no agreements with anyone as to how
19 you were going to be paid, right?

20 A. No, ma'am.

21 Q. Even if --

22 A. Excuse me. I'm sorry. There were
23 agreements as to how I would get paid.

24 Q. What agreements were those?

25 A. The agreements were that -- they were all

EXHIBIT B

From: joe.erwin@erwinpenland.com
To: Jeff Greenfield
Subject: Re: Jeff Greenfield
Date: Monday, October 24, 2005 6:51:50 PM

Jeff,

Thanks for the note. We just back from Nashville a little while ago. The meeting went very well. My team and I feel very good about the chemistry with the folks at Captain D's. They are decent, thoughtful, hard-working people who really want to succeed and it's clear that their previous agency just didn't show them enough commitment. That will not be an issue with my team. We now have an assignment and I was actually thinking about you while we were on the plane coming home. I don't know what we might be able to do to help one another, but your area of expertise might give us a competitive advantage in the pitch (not to mention a new marketing tool for these folks).

I'm about to head home now but I'll be back online later tonight. Is there a time tomorrow or the next day that we could talk by phone?

Thanks,
Joe

joe.erwin@erwinpenland.com
www.erwinpenland.com
864.271.0500

"Jeff Greenfield" <jeff@1stapproach.com>
10/24/2005 06:33 PM

To <joe.erwin@erwinpenland.com>
cc
Subject: Jeff Greenfield

Joe -

I'm glad I got you all worked up about incorporating 'branded entertainment' into your upcoming pitch.

Let me know how your meeting today went and what I can do to close the client.

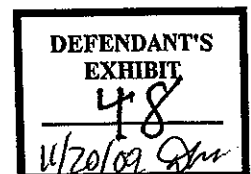
Jeff Greenfield
EVP - 1st Approach
Publisher - Branded Entertainment Monthly

<http://www.1stapproach.com>

tel: 888.221.7923 ext 717
cell: 603.866.1342
fax: 603.299.0775

Product Placement Blog:
<http://www.productplacement.biz>

In The News:
<http://www.brandedentertainment.tv>



GREENFIELD/1STAPPROACH 000618

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EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

CONFIDENTIAL

VIDEOTAPED

DEPOSITION OF JOSEPH A. ERWIN

HILL HOLLIDAY CONNORS
COSMOPULOS, INC. d/b/a
ERWIN-PENLAND,

Plaintiff,

vs.

CASE NO. 6:08-3980-GRA

JEFFREY GREENFIELD and 1st APPROACH, LLC,

Defendants, and
Third-Party Plaintiffs,

vs.

CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, and JOSEPH A.
ERWIN,

Third-Party Defendants.

DEPONENT: JOSEPH A. ERWIN (Videotaped)

DATE: NOVEMBER 20, 2009

TIME: 9:00 A.M.

LOCATION: MCNAIR LAW FIRM, P.A.
104 SOUTH MAIN STREET, SUITE 700
GREENVILLE, SOUTH CAROLINA

REPORTED BY: DENISE MCCAULEY, RPR, IA-CSR, GA-CCR

1 MS. SHARTON: Thank you.

2 MR. CHROMY: Sorry. Did we skip 86?

3 MR. JEKEL: I thought the deck --

4 MR. NORTH: 86 is here, but I'm trying to
5 keep them in chronological order. Because this 87
6 is may Actually 11 and this is May 19. So the
7 numbering --

8 MR. JEKEL: Sorry. My error.

9 MR. NORTH: That's okay.

10 BY MR. NORTH:

11 Q. So after the initial pitch, that's the April
12 pitch you just went through the slides on, it was clear
13 they weren't going to buy a TV show; were they?

14 A. No. They shot that down.

15 Q. They shot that down. So you see this,
16 what's marked as 87, and actually I'm showing it to you
17 ahead of Exhibit 86.

18 MS. SHARTON: We need that.

19 (Marked for identification was Defendants'
20 Exhibit Number 86.)

21 MR. NORTH: Here's 86.

22 THE WITNESS: Okay.

23 MR. JEKEL: And that's Brenda's 86.

24 MS. SHARTON: Thank you.

25 MR. JEKEL: Sorry.

1 Q. That's my question to you.

2 A. And let me --

3 Q. So my question as you're looking through it,
4 Joe, is this doesn't have an episodic TV show in it;
5 does it?

6 A. So far I have not seen that.

7 Q. Right. So by the time --

8 A. Could I finish?

9 Q. I'm sorry. By the time you came away --
10 Keep looking, but by the time you came away from that
11 presentation in April, the big TV show was not going to
12 happen; was it?

13 MS. SHARTON: Objection.

14 THE WITNESS: The question was?

15 BY MR. NORTH:

16 Q. Well, my question is when you walked out of
17 the room and you had consultations with the top folks at
18 Verizon after the April 26 pitch, you knew the TV show
19 wasn't going to go?

20 MS. SHARTON: Objection.

21 BY MR. NORTH:

22 Q. At least at that point in time; right?

23 A. At that point in time, it was --

24 Q. It wasn't going to happen?

25 A. It was not going to happen.

1 Q. Now, the last page of that deck that you've
2 been going through, that also shows that -- it says it's
3 a branded entertainment concept for Verizon Wireless
4 copyrighted again to Erwin-Penland/1st Approach, May 19,
5 '06; right?

6 A. That's what it says.

7 Q. So your recollection is that when you
8 finished the -- when you finished the pitch up there in
9 New Jersey and had conversations after it, the TV show
10 was not going to go; right?

11 A. That's my recollection --

12 MS. SHARTON: Objection.

13 THE WITNESS: -- that the TV show was dead
14 at least for the time being.

15 (Marked for identification was Defendants'
16 Exhibit Number 88.)

17 MR. NORTH: Right. Hand you Defendants'

18 Exhibit 88.

19 MS. SHARTON: Thank you.

20 BY MR. NORTH:

21 Q. See if can you take a look at that. Have
22 you seen this document before?

23 A. I have.

24 Q. Did you see this in preparing for the
25 deposition?

EXHIBIT D

From: Jeff Greenfield <jeff@1stapproach.com>
Sent: Thursday, November 3, 2005 9:35 AM
To: Shannon.Wilbanks@erwinpenland.com
Cc: joe.erwin@erwinpenland.com; gretchen.erwin@erwinpenland.com; bill.reynolds@erwinpenland.com;
Subject: RE: Captain D's customer numbers
Attach: ~DLNK0.URL;~DLNK1.URL;~DLNK2.URL;~DLNK3.URL;~DLNK4.URL;~DLNK5.URL

Just a quick update .. got some final numbers on cost last evening. Will have the deck finished up soon.

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Wednesday, November 02, 2005 6:51 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

Hi Jeff, I'm back in the office now. If you'd like to email your proposal to everyone, here are the addresses. Or you can just send it to me and I'll forward it.

joe.erwin@erwinpenland.com, gretchen.erwin@erwinpenland.com, bill.reynolds@erwinpenland.com,
andy.mendelsohn@erwinpenland.com, shannon.wilbanks@erwinpenland.com

Thanks again!

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC



EP000029

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

11/02/2005 05:11 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

Subject

RE: Captain D's customer numbers

Shannon -

Can you email me those 5 cities?

Thanks!

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [mailto:Shannon.Wilbanks@erwinpenland.com]

EP000030

Sent: Tuesday, November 01, 2005 4:26 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

we'll call you then!

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

11/01/2005 04:20 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

Subject

RE: Captain D's customer numbers

Perfect.

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

EP000031

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [mailto:Shannon.Wilbanks@erwinpenland.com]

Sent: Tuesday, November 01, 2005 4:20 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

great! Joe's in a meeting right this minute, but how about we call you at 6pm our time?

Shannon

"Jeff Greenfield" <jeff@1stapproach.com>

11/01/2005 04:17 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc:

Subject

RE: Captain D's customer numbers

I am available right now. I have a call scheduled @ 5 PM EST that will last about 40 minutes .. but will be available after that.

My direct number is 207-439-4754.

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

EP000032

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandcenterentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [mailto:Shannon.Wilbanks@erwinpenland.com]

Sent: Tuesday, November 01, 2005 4:01 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

Hi Jeff -- just checking in. Do we need to schedule a call for late today or sometime tomorrow? We're moving really fast on this, and would love to get your thoughts as soon as possible. Thanks!

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

10/27/2005 07:21 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

<Joe.Erwin@erwinpenland.com>

Subject

RE: Captain D's customer numbers

EP000033

Makes perfect sense. Very impressive numbers -- especially when we double their business in the first 12 months!

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [mailto:Shannon.Wilbanks@erwinpenland.com]

Sent: Thursday, October 27, 2005 7:11 PM

To: Jeff Greenfield

Cc: Joe.Erwin@erwinpenland.com

Subject: Captain D's customer numbers

Hi Jeff,

Great to meet you the other day -- thanks for talking & working with us! Joe's on the road, but asked that I get you the customer traffic numbers we talked about earlier this week. We know that Captain D's serves about 92 million customers annually systemwide. Of course, there are duplications in that figure, especially since they have some very loyal customers. But we also know that their average length between visits is 45 days. So if we divide that 92 million by 9, you end up with approximately 10 to 10.5 million unique customers each year.

Make sense to you? Joe's back in the office Friday, and we'll talk to you soon.

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

EP000034

EXHIBIT E

From: Jeff Greenfield <jeff@1stapproach.com>
Sent: Friday, November 4, 2005 10:00 AM
To: Shannon.Wilbanks@erwinpenland.com
Cc: joe.erwin@erwinpenland.com; gretchen.erwin@erwinpenland.com; bill.reynolds@erwinpenland.com;
Subject: RE: Captain D's customer numbers
Attach: ~DLNK0.URL;~DLNK1.URL;~DLNK2.URL;~DLNK3.URL;~DLNK4.URL;~DLNK5.URL

Here is the Amazing Grace concept with the payment structure explained.

A PowerPoint will be coming prior to our conference.

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Friday, November 04, 2005 9:05 AM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

hey, Jeff -- just making sure I haven't missed it -- do we have the Amazing Grace piece yet? Our servers went down for about 15 minutes yesterday, and I'm a little freaked out that we may have missed some emails!

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

EP000124

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

11/03/2005 01:51 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

<joe.erwin@erwinpenland.com>,
<gretchen.erwin@erwinpenland.com>,
<bill.reynolds@erwinpenland.com>,
<andy.mendelsohn@erwinpenland.com>

Subject

RE: Captain D's customer numbers

Here is the Product Placement piece.

Sorry to section this out bit by bit .. but just the way my mind works

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Jeff Greenfield

EP000125

Sent: Thursday, November 03, 2005 10:36 AM

To: 'Shannon.Wilbanks@erwinpenland.com'

Cc: 'joe.erwin@erwinpenland.com'; 'gretchen.erwin@erwinpenland.com'; 'bill.reynolds@erwinpenland.com'; 'andy.mendelsohn@erwinpenland.com'

Subject: RE: Captain D's customer numbers

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Sent: Wednesday, November 02, 2005 6:51 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

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andy.mendelsohn@erwinpenland.com, shannon.wilbanks@erwinpenland.com

Thanks again!

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

11/02/2005 05:11 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

Subject

RE: Captain D's customer numbers

Shannon -

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Thanks!

Jeff Greenfield

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From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Tuesday, November 01, 2005 4:26 PM

EP000127

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

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Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

11/01/2005 04:20 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

Subject

RE: Captain D's customer numbers

Perfect.

Jeff Greenfield

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Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

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fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

EP000128

In The News:[<<...>>](http://www.brandedentertainment.tv)

From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Tuesday, November 01, 2005 4:20 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

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11/01/2005 04:17 PM

To

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Subject

RE: Captain D's customer numbers

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My direct number is 207-439-4754.

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly [<<...>>](http://www.1stapproach.com)

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cell: 603.866.1342

fax: 603.299.0775

EP000129

Product Placement Blog:<http://www.productplacement.biz> <<...>>

In The News:<http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Tuesday, November 01, 2005 4:01 PM

To: Jeff Greenfield

Subject: RE: Captain D's customer numbers

Hi Jeff -- just checking in. Do we need to schedule a call for late today or sometime tomorrow? We're moving really fast on this, and would love to get your thoughts as soon as possible. Thanks!

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

"Jeff Greenfield" <jeff@1stapproach.com>

10/27/2005 07:21 PM

To

<Shannon.Wilbanks@erwinpenland.com>

cc

<Joe.Erwin@erwinpenland.com>

Subject

RE: Captain D's customer numbers

Makes perfect sense. Very impressive numbers -- especially when we double their business in the first 12 months!

EP000130

Jeff Greenfield

EVP - 1st Approach

Publisher - Branded Entertainment Monthly <http://www.1stapproach.com> <<...>>

tel: 888.221.7923 ext 717

cell: 603.866.1342

fax: 603.299.0775

Product Placement Blog: <http://www.productplacement.biz> <<...>>

In The News: <http://www.brandedentertainment.tv> <<...>>

From: Shannon.Wilbanks@erwinpenland.com [<mailto:Shannon.Wilbanks@erwinpenland.com>]

Sent: Thursday, October 27, 2005 7:11 PM

To: Jeff Greenfield

Cc: Joe.Erwin@erwinpenland.com

Subject: Captain D's customer numbers

Hi Jeff,

Great to meet you the other day -- thanks for talking & working with us! Joe's on the road, but asked that I get you the customer traffic numbers we talked about earlier this week. We know that Captain D's serves about 92 million customers annually systemwide. Of course, there are duplications in that figure, especially since they have some very loyal customers. But we also know that their average length between visits is 45 days. So if we divide that 92 million by 9, you end up with approximately 10 to 10.5 million unique customers each year.

Make sense to you? Joe's back in the office Friday, and we'll talk to you soon.

Shannon

Shannon Wilbanks

Business Development Manager &

Asst. to President Joe Erwin

Erwin-Penland, Greenville, SC

864-672-5524

- AmazingGrace.pdf <<...>>

EP000131



'Amazing Grace'
Captain D's Branded Reality Show

The ideas and concepts contained within this document are the sole and confidential property of 1st Approach LLC and will not be shared with any other agency or utilized without prior written consent.

CONFIDENTIAL

EP226852

1st Approach



***Captain D's presents authentic,
inspirational television!***

The top 20 church choirs in the US competing for over
\$250,000 in prizes and the title of
the Best Choir in the USA!

1st Approach



PHASE I. LOCAL PARTICIPATION

**"Producers from TV's
'Amazing Grace' will be visiting
Captain D's on Wednesday
from 2 - 4 PM."**

The big secret behind American Idol's success is all of the local work that never makes it to the show! As contestants are selected to compete in Hollywood - a team of Hollywood PR experts sends off a flood of press releases to the local press alerting them that one of their locals may be the 'next American Idol'. This results in massive local involvement - all months before the show is on the air!

Our production team of experienced network cameramen and producers will cross the country in their 6 week trek of visiting EVERY Captain D's location!

The local press (newspaper, radio, broadcast) will be alerted several weeks prior and invited to participate.

Every Captain D's location will have a set date and time when the Captain D's Amazing Grace team will arrive.

After setting up their equipment and 'red carpet' region, our production team will interview people about their local choir and why they think they are the best in the US!



Cameraman @ Captain D's in Atlanta



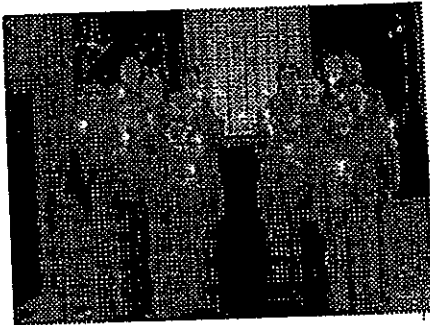
Amazing Grace Spokesperson Contest

Our production team will also be on a national talent search for the Captain D's Amazing Grace Spokesperson. Similar to Ryan Seacrest on American Idol, the winner will be a paid spokesperson for all of the live events, will be flown to all of the events and (most importantly) be paid!

Every location can hold a local contest and the winner would be that locations representative in the Spokesperson contest.

1st Approach

PHASE II. REGIONAL COMPETITIONS



After selecting the 'best of the best', 25 choirs from each region will be invited to person in a contest in one of these locations:

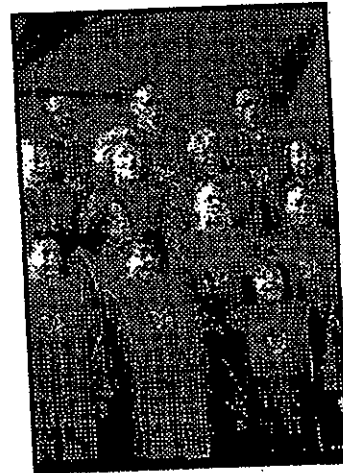
- Atlanta, GA
- Jackson, MS
- Birmingham, AL
- Charleston, SC

These will be huge shows in large arenas that will be well attended. Each show will have a large panel of celebrity judges who will vote on the best overall performance. The winner from each region will be invited to attend the National competition in Nashville.

This competition will be filmed by our production team and edited at a later date.

PHASE III. FINALS

The National competition will feature the 4 best church choirs in the country in an authentic inspirational contest to find the #1 Choir in the USA!



1st Approach

Reality Show Cost

Traditional model of branded reality shows (Apprentice, Survivor, etc.) calls for the brand to participate by paying upfront the cost of production plus profits for the producers and in return getting significant product integration. As the number of impressions increase from increased ratings, syndication & DVD sales – the value to the brand increases. In addition, the producers make additional money from the sale of commercial time and other profit channels. Under this option, the cost for 6 episodes of 'Amazing Grace' is \$3,000,000.

The U.S. government has recently chosen to incentivize the production of film and TV shows that are produced within the borders of the United States. Prior to the tax incentives enacted by the Jobs Act, the United States was known as the "runaway production" country. Because the U.S. did not offer tax incentives but other countries did, production (and, hence, jobs) migrated off-shore.

Now, at least for a small window of time (until 2008), the U.S. government is willing to trade tax incentives for bringing back these jobs. These structures are similar to the structures we used to finance films in the U.K. and Germany.

The new model of branded entertainment treats the brand as a partner and allows them to enjoy ALL of these new tax benefits. Under this new model, the production team is willing to risk a significant portion of their profits in return for a potential windfall upon the success of the program.

In this new model, our team would prepare 12 episodes at a cost of \$6,000,000. Your company would only pay \$3,000,000 and then provide a note for the additional \$3,000,000. This would provide your company with an immediate deduction of \$6,000,000 – a tax savings of approximately \$3,000,000.

Our team has utilized this same financing structure in Europe to finance such films as Harry Potter I & II, Lord of the Rings I, II & III, Mission Impossible I & II, The Core, Blade II, Lara Croft I & II, The Bourne Identity, Marci X, The Life of David Gale, Clockstoppers, Beyond Borders, Looney Tunes, Back in Action!, Paycheck, The Fighting Temptations, Malibu's Most Wanted, among others.

EXHIBIT F

Jeff Greenfield

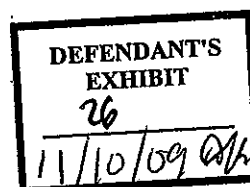
From: Jeff Greenfield
Sent: Wednesday, February 15, 2006 2:19 PM
To: Shannon Wilbanks; Joe Erwin; Allen Bosworth
Subject: RE: Notes from 2/13 Verizon Wireless call
Attachments: HowSweetTheSound-WGA.pdf

FYI - I have 'officially' registered 'How Sweet The Sound' with the WGA under both myself and Joe's name.

Jeff Greenfield

Phone: 603-617-2985
Fax: 603-299-0775

Recent News: <http://www.1stapproach.com/news.html>
Jeff's Blog: <http://www.productplacement.biz>



7/24/2008

**How Sweet The Sound
The Search for America's Top Church Choir**

Written by Jeff Greenfield & Joe Erwin

How Sweet The Sound is an 'American-Idol' style competition for church choirs. Thru a series of regional competitions, regional winners will travel to a final competition where they will compete for prizes and be name 'America's #1 Church Choir'

Originally conceived and presented in late October 2005.

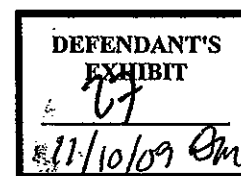


EXHIBIT G

From: Joe Erwin
To: Jeff Greenfield; Allen Bosworth; Shannon Wilbanks
Subject: RE: AA Markets for VZW
Date: Wednesday, February 15, 2006 1:15:18 PM

Jeff,

Great question and I don't know the answer. But here could be a starting point for a discussion on this: we might want to limit the size of the choirs which of course limits expenses. Beyond that, it "levels the playing field" between large and small churches (and the choirs that go with them). Also, from a staging standpoint we get some semblance of uniformity that helps with stage composition, lighting, TV direction etc.

Regarding travel, perhaps the churches have to pick up their travel to the regionals. Most have buses or can get buses. Maybe we get a national hotel brand as co-sponsor to help defray accommodations costs. A national restaurant brand might also make sense as part of this package. When it comes to getting the regional winners to the finals, I think we would probably want to pick that up, but again using help from co-sponsors if we can get them.

What do you all think?

Joe

-----Original Message-----

From: Jeff Greenfield [mailto:jeff@1stapproach.com]
Sent: Wednesday, February 15, 2006 12:39 PM
To: Allen Bosworth; Jeff Greenfield; Shannon Wilbanks; Joe Erwin
Subject: RE: AA Markets for VZW

Travel question...

Are the transportation costs of regional winners to be included? Unlike Idol - we may have a winner with 100 or more members. Could easily triple the budget.

Jeff Greenfield

-----Original Message-----

From: "Allen Bosworth" <allen.bosworth@erwinpenland.com>
To: "Jeff Greenfield" <jeff@1stapproach.com>; "Shannon Wilbanks" <Shannon.Wilbanks@erwinpenland.com>; "Joe Erwin" <Joe.Erwin@erwinpenland.com>
Sent: 2/15/06 11:59
Subject: FW: AA Markets for VZW

Finals: Atlanta

Regionals: Birmingham (VZW Birmingham Music Center)
Los Angeles (VZW Los Angeles Amphitheater)

DEFENDANT'S
EXHIBIT

79
11/20/09 JG

EXHIBIT H

From: Jeff Greenfield <jeff@1stapproach.com>
Sent: Monday, March 13, 2006 3:41 PM
To: Joe Erwin <Joe.Erwin@erwinpenland.com>; Allen Bosworth <allen.bosworth@erwinpenland.com>
Cc: Shannon Wilbanks <Shannon.Wilbanks@erwinpenland.com>
Subject: RE: Dates for Presentation
Attach: SING Topsheet.pdf

Here is the topsheet of the budget. This is not 'client ready' – but will give us an idea of the range of the budget. This can be trimmed a bit. Before we do that .. we need to know what fees for your agency you want me to build in there.

The options that we offered the pharma client (& it worked) were all based on percentage of ownership of the entity:

OPTION 1 : 50% ownership - Partial Payment

They pay \$9 million.
All profit goes to production/above the line until \$12 million is reached.
After \$12 million, we split profits 50/50

OPTION 2 : 50% ownership

They pay \$ 12 million.
All profits are split 50/50

Jeff Greenfield

Phone: 603-617-2985
Fax: 603-299-0775

Recent News: <http://www.1stapproach.com/news.html>
Jeff's Blog: <http://www.productplacement.biz>

From: Joe Erwin [mailto:Joe.Erwin@erwinpenland.com]
Sent: Monday, March 13, 2006 3:23 PM
To: Jeff Greenfield; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Dates for Presentation

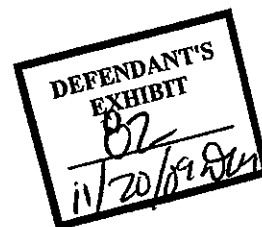
Jeff,

We're still working on dates with Atlanta and New Jersey. Do you have the full budget now, with its multiple options?

Thanks,
Joe

From: Jeff Greenfield [mailto:jeff@1stapproach.com]
Sent: Monday, March 13, 2006 2:15 PM
To: Joe Erwin; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Dates for Presentation

Should we plan a call for mid-week?



EP000276

*** SHOW'S TITLE GOES HERE ***
 PRODUCTION BUDGET

PRODUCER:
 DIRECTOR:
 UPM:
 DESIGNER:

PREP: 7 WEEKS LOCATION
 PREP: 12 WEEKS OFFICE
 SHOOT: 6 WEEKS PRELIMINARY
 SHOOT: 6 WEEKS SEMI-FINALS
 SHOOT: 1 WEEK FINALS
 PRODUCTION IN SEVEN VENUES

DISTRIBUTOR:

BUDGET PREPARED BY: Norman C. Berns

TAPE FORMAT: HD

Acct#	Category Title	Page	Total
101	STORY, RIGHTS, CONTINUITY	1	\$230,490
102	PRODUCERS UNIT	1	\$386,098
103	DIRECTION	1	\$118,355
104	CAST	1	\$575,000
	ABOVE THE LINE TOTAL		\$1,309,943
110	PRODUCTION STAFF	2	\$854,888
113	SET DESIGN	2	\$95,023
114	SET CONSTRUCTION	3	\$494,400
115	CREW	3	\$1,385,959
120	SET OPERATIONS	4	\$161,250
122	EQUIPMENT RENTALS	4	\$1,194,355
125	TRAVEL	4	\$1,139,741
131	LOCATIONS	6	\$1,036,178
	PRODUCTION PERIOD TOTAL		\$8,361,694
133	EDITORIAL	6	\$179,443
134	MUSIC	7	\$242,000
135	ON LINE VIDEO	7	\$90,800
136	POST PRODUCTION SOUND	7	\$86,500
137	TITLES	7	\$39,500
	TOTAL POST PRODUCTION		\$638,243
141	WEBSITE	7	\$500,000
142	AIRTIME EXPENSES	7	\$305,500
143	GENERAL EXPENSES	7	\$440,400
	TOTAL OTHER		\$1,245,900
	CONTINGENCY: 10.00%		\$1,049,321
	INSURANCE: 2.75%		\$288,563
	TOTAL ABOVE-THE-LINE		\$1,309,943
	TOTAL BELOW-THE-LINE		\$8,245,737
	TOTAL ABOVE & BELOW-THE-LINE		\$9,555,680
	TOTAL FRINGES		\$937,528
	GRAND TOTAL		\$11,631,092

EXHIBIT I

From: Joe Erwin
Sent: 03/15/2006
To: Allen Bosworth [allen.bosworth@erwinpenland.com]
Cc: Shannon Wilbanks [Shannon.Wilbanks@erwinpenland.com]
Bcc:
Subject: FW: Dates for Presentation

Want to get together and talk about incorporating EP roles and corresponding fees?

From: Jeff Greenfield [mailto:jeff@1stapproach.com]
Sent: Monday, March 13, 2006 3:41 PM
To: Joe Erwin; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Dates for Presentation

Here is the topsheet of the budget. This is not 'client ready' -- but will give us an idea of the range of the budget. This can be trimmed a bit. Before we do that .. we need to know what fees for your agency you want me to build in there.

The options that we offered the pharma client (& it worked) were all based on percentage of ownership of the entity:

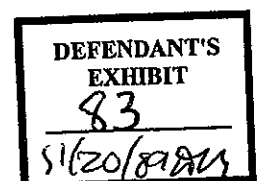
OPTION 1 : 50% ownership - Partial Payment
They pay \$9 million.
All profit goes to production/above the line until \$12 million is reached.
After \$12 million, we split profits 50/50

OPTION 2 : 50% ownership
They pay \$ 12 million.
All profits are split 50/50

Jeff Greenfield
Phone: 603-617-2985
Fax: 603-299-0775

Recent News: <http://www.1stapproach.com/news.html>
Jeff's Blog: <http://www.productplacement.biz>

From: Joe Erwin [mailto:Joe.Erwin@erwinpenland.com]
Sent: Monday, March 13, 2006 3:23 PM
To: Jeff Greenfield; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Dates for Presentation



EP000690

CONFIDENTIAL

EXHIBIT J

From: Joe Erwin
To: Jeff Greenfield; Shannon Wilbanks; Allen Bosworth
Subject: RE: Verizon Meeting - Status Update
Date: Friday, March 17, 2006 12:19:37 PM

Jeff,

I don't know if Allen may have responded to your note; he's been traveling all week and we've had little chance to speak or trade emails. Here's my attempt to give you the right answers: we still want meetings in both Atlanta and New Jersey unless we can get all the key players in one city (unlikely). Please do keep working on the deck. This will be a "team presentation" in which Allen and I will want to (and need to) lead because they know us, trust us and count on us. We will need you to help prove to them how completely we have thought this through and that basically all they have to do is say yes to one of the options we present to them. And they will want to see great chemistry from you and us as a team

I see on my schedule that Allen and I are meeting on Monday to discuss what Erwin-Penland's fees and key responsibilities will be for the program. We should be able to give you a call after that so we can all be up to date.

Thanks,
Joe

From: Jeff Greenfield [mailto:jeff@1stapproach.com]
Sent: Thursday, March 16, 2006 11:37 AM
To: Shannon Wilbanks; Joe Erwin; Allen Bosworth
Subject: Verizon Meeting - Status Update

Are we still on for Atlanta or are we just looking at New Jersey?

Do you want me to keep working on the deck?

(FYI - the presentation that worked with our Pharma client was split up as follows: Buzzmarketing 101, Show Concept, Production Schedule, Show Budget, Payment Options)

Thanks!

Jeff Greenfield

Phone: 603-617-2985
Fax: 603-299-0775

Recent News: <http://www.1stapproach.com/news.html>
Jeff's Blog: <http://www.productplacement.biz>

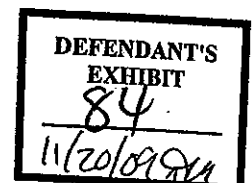
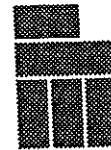


EXHIBIT K



*How Sweet
the Sound*

April 26, 2006



Erwin-Perland

CONFIDENTIAL

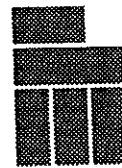
EP226815



Gospel Music is...

**“A fire and excitement that
sometimes, without warning,
fills a church, causing it to
rock.”**

-- James Baldwin



Erwin-Penland

2

EP226816

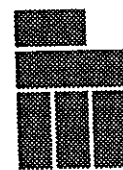
CONFIDENTIAL

EP226817

CONFIDENTIAL



Imagine the Opportunity



Erwin-Penland

4

EP226818

CONFIDENTIAL



Imagine the Opportunity

- Unlike a traditional media buy, “How Sweet the Sound” represents a fully integrated local marketing vehicle for Verizon Wireless, including:
 - Advertising Impressions
 - Product Placement with demonstration
 - Local excitement and Verizon Wireless relevance at the community level
 - Incredibly relevant content targeted to self-identified individuals with text, photo and video implications
 - Opportunity for gross adds among audiences that Verizon Wireless has had a traditionally difficult time penetrating

**All ownable by Verizon Wireless with
opportunity for significant revenue**



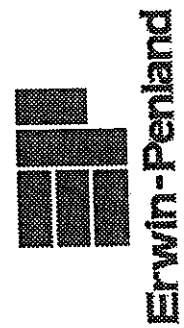
Imagine the Opportunity

- **How Big Is Gospel Music?**

- About 6 percent of the total U.S. record market
 - Sells 7 CDs to every 10 purchased in country music
- Over \$1 billion in music sales in 2005
- 80 million people tune in each week to over 1,400 gospel radio stations
- Church attendance is high in every part of the country and growing
 - Midwest: 45% attend at least monthly
 - South: 40%
 - East: 35%
 - West: 32%
- Major gospel music concerts throughout the country
 - Music in the Rockies (Estes Park, CO)
 - GMA Music Week (Nashville)
 - Los Angeles Gospel Jubilee (LA)
 - McDonald's Gospelfest (New York)
- "The Purpose-Driven Life" is the top-selling non-fiction book in U.S. history



Who We Are





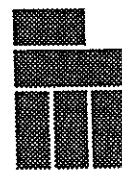
"How Sweet the Sound" Team

"How Sweet the Sound" is a local marketing and television concept conceived by Erwin-Penland and 1st Approach as a reality program that taps into the soul of America with a celebration of music and spirituality.

- **Erwin-Penland**
 - Erwin-Penland is wholly owned by Hill Holliday Connors Cosmopolos, one of the nation's largest marketing services companies and a member of the Interpublic family of companies. Among the clients we work with are Verizon Wireless, Dunkin' Donuts, CVS, Wachovia, Michelin, John Hancock and Anheuser-Busch.
- **1st Approach**
 - Led by VNU's Branded Entertainment Monthly Publisher, Jeff Greenfield, 1st Approach capitalizes on the wane of traditional advertising and the wax of non-traditional marketing: engaging a three-pronged strategy of Internet, Branded Content, and Buzz Marketing. 1st Approach's Greenfield has served as an early consultant to the Emmy's and NATPE on branded entertainment and content marketing. Clients embracing this approach include: Kimberly-Clark, Restylane, Black & Decker, Johnson & Johnson's Tylenol PM, Sony BMG, and GlaxoSmithKline's Levitra.



Structure the Opportunity



Erwin-Penland



Structure the Opportunity

- Important to remember that this is much more than just sponsoring a television show. In fact, this can be a successful opportunity even if it never appears on television.
- At the heart of it, "How Sweet the Sound" is a grass roots celebration of spiritual music in the communities and worshipping places of America.

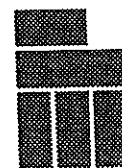


Structure the Opportunity

- We search for America's best church choir in a competition that takes Verizon Wireless across the country and features well-known celebrity judges and local celebrity judges.
 - Unlike "American Idol," however, every church choir that enters wins on some level. This event has more of a "Extreme Makeover," feel-good story to it.



How It Works



Erwin-Penland

12

EP226826

CONFIDENTIAL

Entry Round

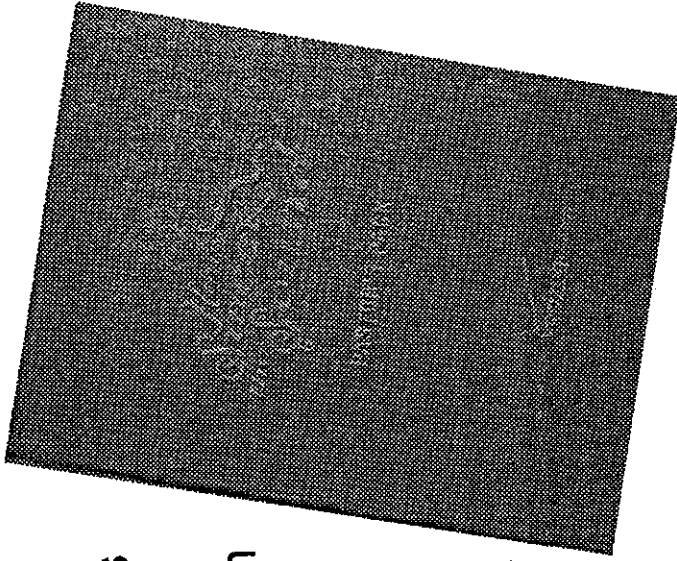


- All across the country, Verizon Wireless will partner with local media entities (especially appropriate local TV and radio) with whom Verizon Wireless has significant relationships to promote registration.
- Message Board campaign with posts talking about the event. Message board owners rarely delete messages.
 - Translates into tentacles that influence Search Engine Listings
 - Search Engine Listings give credence to links in tentacles that direct toward the main web site(s)
- People will come to Verizon Wireless stores, agent locations, Circuit City, and online to register their church's choir for the competition.



Videotape Entry Round

- Upon registration, each church will receive a "Pastor's Packet™" which explains the event, gives talking points for the pastor, provides flyers to post in the church, and gives the details on a special Verizon Wireless "Fellowship™" rate plan and/or phone deal for members of churches that register.
- Churches are asked to submit a videotape of no more than 7 minutes with the best performances of their choir.
 - Every church that submits a videotape receives a donation to the church fund and is entered in a drawing for \$10,000. (we could also cap the number of churches that we'll pay out the donation).





Local Round One

- Judges select the top 20 from each region, who are invited to perform at one of six locations throughout the country.
 - Verizon Wireless conducts local auditions in six cities across the country from the selected top 20 per region. Preliminary suggestions for regional events are:
 - Los Angeles
 - Chicago
 - Philadelphia
 - New York
 - Houston
 - Birmingham
- Markets selected because of high concentration of African-Americans but not significant Verizon Wireless share of AA market, and geographically diverse.



Local Round One

- Where possible, hold the event at Verizon Wireless sponsored venues
 - Verizon Wireless Amphitheater in LA and Birmingham;
 - Verizon Wireless Theater in Houston, etc.
- Have venues and media partners co-promote the event. Also promote on the web site and through grass roots tactics and media relations.
- Utilize Verizon Wireless mobile platform for information, discounted tickets, prequels, sequels, plot backstories, etc.



Local Round One

- In each audition city, the judges (comprised of celebrity judges and local news people to talk up the event) narrow from 20 to 12 at the event, but only 6 from that city actually get on to the second round.
- On the VerizonWireless.com web site, the show web site and by free VCast download, visitors will be able to view a short clip from each choir and vote. The 6 choirs with the most votes make it to the regional finals.
 - Voting online, by text messaging, or in-store.



Regional Round Two

- We return to the same 6 venues, with 6 choirs per location. They now have a much broader opportunity to impress:
 - Larger audience at the venue
 - Longer performance
 - Each person in attendance is given a Verizon Wireless phone for use in the voting. Each audience member gets the opportunity to text in votes from the venue.
 - Judges also text in votes to choose winner from the regional competition
 - Leading text vote getter receives a trip to the finals
 - Each Regional Winner will have a dedicated "Fan" site for picture postings, video postings, samples of songs, music availability, performer profiles and blogs



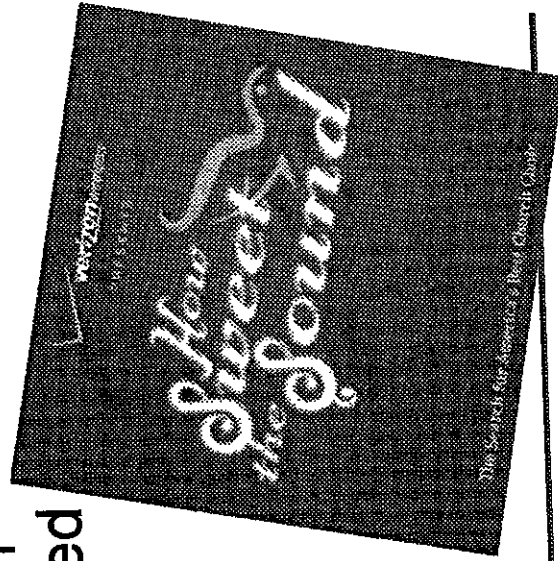
Finals

- Held in Atlanta with the Top 6 choirs
- Once again, innovative text messaging system for scoring the finalists – with audience attendees scoring the choirs and the winner emerging by the end
- Even though we envision a taped show (we hope it could be a live show), we can also encourage interaction with the show by having text votes to see who people think will be the winner and superimposing on the screen. Could even be a text-to-screen opportunity.
- During show voting selects the “People’s Choice” choir

Prizes

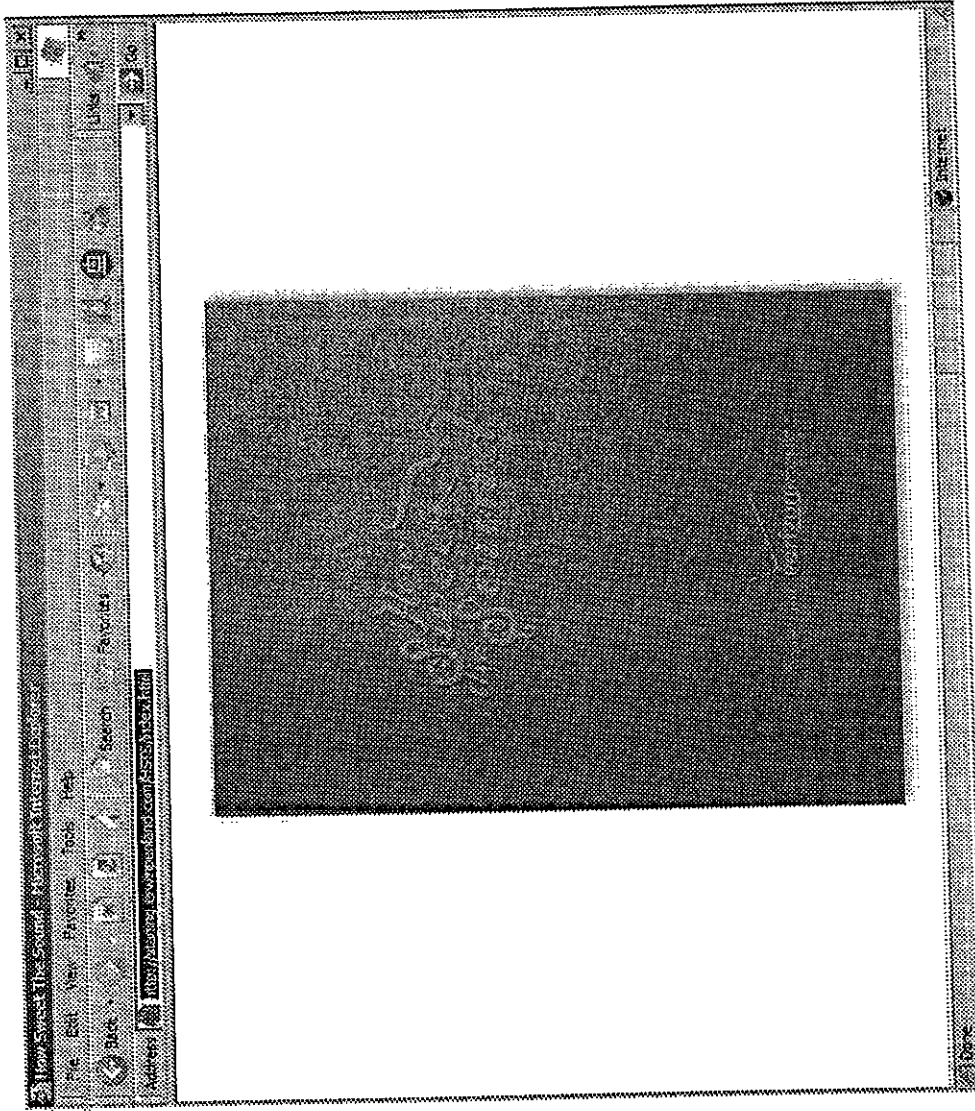


- Every church who sends in a videotape gets a small donation and entry in larger sweepstakes
- Every church who makes the first 120 gets a larger donation and more entries in the sweepstakes
- Every church who makes the top 36 gets an even larger donation and more entries in the sweepstakes
- Top 6 get a very special prize: work with the churches to determine what they need up to a certain dollar limit, and award during the finals
- Winner gets a grand prize (church bus, scholarship, etc.) and featured on a compilation CD



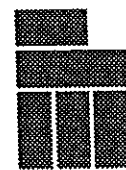


Web Site Demonstration





The Benefits Are Many



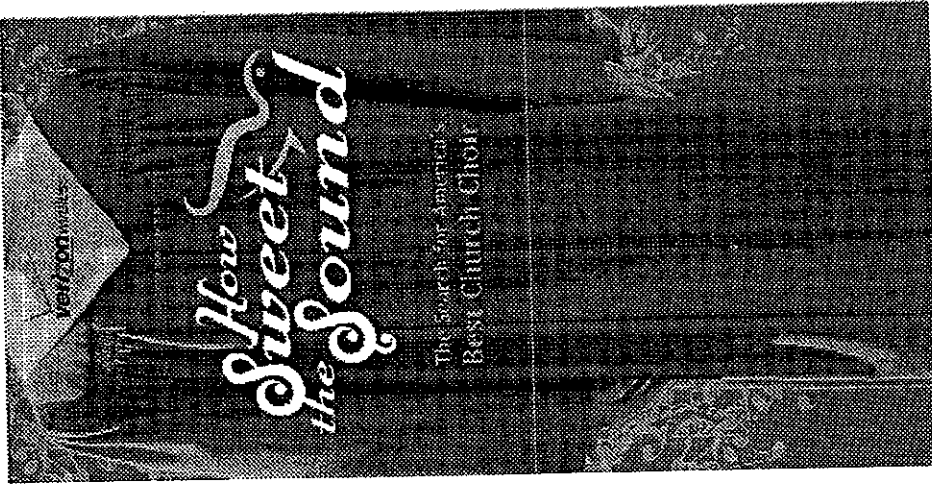
Erwin-Penland

Interaction Benefits

verizonwireless

- **Many touchpoints with interaction with Verizon Wireless products and services**
 - Text messaging demonstrations for voting
 - Picture and video message posting to blogs
 - Local market community involvement and goodwill
 - Relevance in key demographics
 - Traffic driven to stores for registration and voting
 - Opportunity for new gross adds through Fellowship Plan pricing and/or discounted equipment deal
 - Information on customers that can be used for opt-in marketing (we know that the people who sign up on the plan or send a text have an affinity toward church-related activities)
 - Messages and links from message board tentacles that live on
 - Ringtone, MOD, Ring Back Tone, VOD opportunities

No Mention Yet of the Actual Advertising Benefit





Advertising Impression Benefits

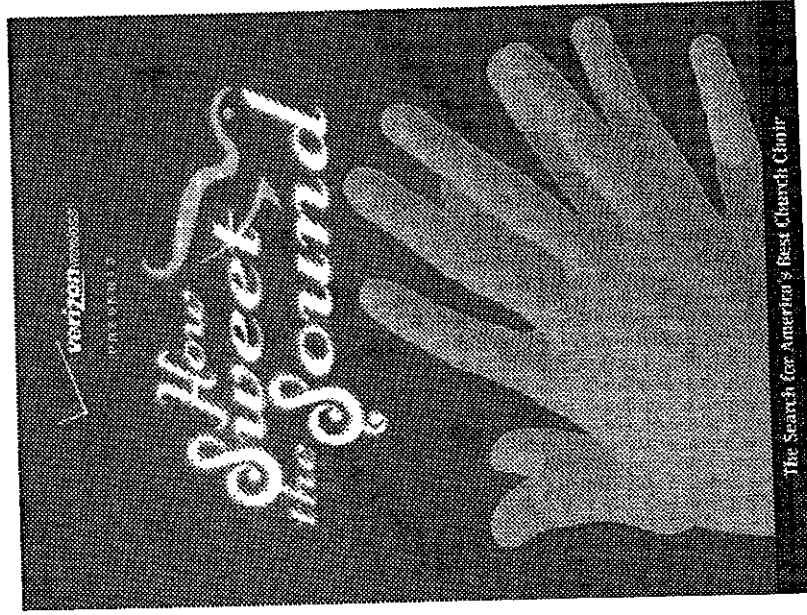
- Year One Possible Impressions (Conservative)
 - Television for 13 weeks (120 million)
 - Internet interaction (850 million)
 - Community and local events (at least 100,000)
 - Media Partnerships (100 million)
 - Public Relations (50 million)

Potentially over 1.1 billion impressions in Year One



Revenue Benefits

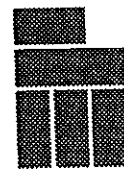
- The benefits of owning part of the show
 - Creative input
 - Ability to truly integrate into show and not get cut out with DVR, Podcasts, syndication, DVD sales, etc.
 - The ability to generate ownable content
 - Opportunity for revenue
 - Network licensing
 - Flat payment and/or
 - Piece of advertising revenue
 - Selling show overseas or other geography
 - Syndication rights
 - Online episodic downloads
 - Advertising on show web site
 - DVD sales; CD sales
 - Admission revenue at events
 - Text message revenue
 - Pix revenue
 - Ringtone, Ring Back Tone, MOD, VOD revenue



- Of the seven states we examined:
 - Georgia offers 9% to 17% in tax credits of costs associated; Approximately \$50K
 - Texas offers sales tax exemptions on purchases made
 - California has minor sales tax exemption
 - New York has reached its tax cap for 2006
 - Pennsylvania has reached yearly tax cap for 2006; 60% of filming would have to be in state
 - Alabama has no major incentives but new incentives in Birmingham area
 - Illinois could provide up to a 15% tax credit of all production expenses in the state with passage of new budget



Production Team



Erwin-Penland

27

EP226841

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Buzznation

verizonwireless

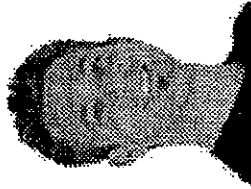
Buzznation - Unlike Any Other Production Company

Every production company wants to get in, shoot, and get out... with as little friction as possible. They don't want to make waves.

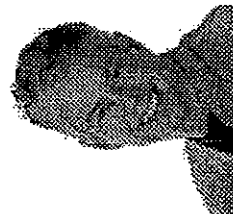
From the very get-go, Buzznation wants to make waves... everything is about marketing. Building an audience using the secrets of grass-roots buzz, the power of the Internet, and the allure of branded content... before the show even airs!



Jamie Gold is known for discovering, nurturing, and launching the careers of James Gandolfini (*The Sopranos*), Felicity Huffman (*Desperate Housewives*), Jimmy Fallon (*Sat. Night Live*, *Fever Pitch*), Lucy Liu (*Charlie's Angels*), Donnie Wahlberg, Kristin Davis (*Sex and The City*), writer/director Darren Aronofsky, Francis, Roman and Sofia Coppola & producer Gary Marcus (*The Big Bounce*, *The Virgin Suicides*).



Jeff Greenfield is VNU's Branded Entertainment Monthly Publisher, and capitalizes on the wane of traditional advertising and the wax of non-traditional marketing: engaging a three-pronged strategy of Internet, Branded Content, and Buzz Marketing. 1st Approach's Greenfield has served as an early consultant to the Emmy's and NATPE on branded entertainment and content marketing.



Mark Hughes is the author of *Buzzmarketing* (Penguin/Portfolio) and was the vice president of marketing for Half.com which sold to eBay for \$300 million in six months. PepsiCo, Pep Boys, and the seed company of XM Satellite radio (AMSC) adorn his resume of big brand marketing. Hughes holds his MBA from Columbia Business School, and the Financial Times and Fast Company heralded his book as one of the Top Ten Business Books of the Year.

Television Team - Available

verizonwireless

Executive Producers

Credits include: Billboard Music Awards, Radio Music Awards, World Music Awards, TV Land Awards, Summer Music Mania, VH1/Vogue Fashion Awards, Live concert specials for Britney Spears & 'N Sync. All share combination of strong ratings history, great performance showcases for talent & exceptional entertainment experience for viewers.

Producers

Four Emmy Awards, 63 programs ranging from lifestyle and travel to scripted and non-scripted reality shows including The Bachelor series. Contract production crew for ABC's Good Morning America, 20-20, Prime Time, NBC Sports & ABC's Extreme Makeover. In charge of production for trip with President Bush on the USS Lincoln Air Craft Carrier from Hawaii to San Diego; Reagan's funeral in Southern California at the Ronald Reagan Library. Live Red Carpet interviews for GMA for the Emmy's and the Oscars.

Director

Emmy Award winner and recipient of nine Emmy nominations. Won numerous other awards from journalism and broadcasting associations.

Director of Photography

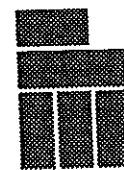
23 Emmy Awards. Director of photography for major LA network affiliates. Worked on many national and syndicated broadcasts as well as on ABC network programs such as "The Practice" and "General Hospital."

Assistant Director/Writer

25+ years in the business working for BBC, ABC, numerous cable outlets.



Budget and Revenue Structure



Erwin-Penland

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EP226844

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Preliminary Cost Estimate

- Thirteen one-hour episodes
- Seven location shoots
- Approximately \$12.6 million
 - Costs driven primarily by the expense of location shooting (travel, crew, locations, equipment rentals)



Revenue Opportunity

- Create a contract whereby Verizon Wireless receives 40% of net revenues generated from the property after production expenses have been paid
 - Includes main program and all derivatives such as DVD, syndication, CD, Year 2 and beyond program rights, web site advertising, downloads, etc.



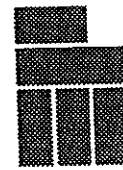
Timetable

- Approximate 30-week production schedule.
 - 6 cities for 3 weeks in each
 - Two weeks for Round One
 - One week for regional finals
 - Two weeks in finals city
 - Four weeks for editing
 - Voting between rounds one and regional finals

Final Thought



“How Sweet the Sound” provides an audience that cares about what Verizon Wireless is bringing to them. The message is relevant to the audience we are saying it to.



Erwin-Penland

EP226849

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"How Sweet The Sound"

A branded entertainment
concept for Verizon Wireless

Copyright by Erwin-Penland/1st Approach
April 26, 2006

CONFIDENTIAL

EP226850

EXHIBIT L

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

)	Case Number: 6:08-CV-3980-GRA
HILL HOLLIDAY CONNORS)	
COSMOPULOS, INC. d/b/a ERWIN-)	
PENLAND,)	
Plaintiff,)	
)	
vs.)	
)	
JEFFREY GREENFIELD and)	
1 st APPROACH, LLC,)	
Defendants, and)	
Third-Party Plaintiffs,)	
)	
vs.)	
)	
CELLCO PARTNERSHIP d/b/a)	
VERIZON WIRELESS, and)	
JOSEPH A. ERWIN,)	
Third-Party Defendants.)	
)	

AFFIDAVIT OF JEFFREY GREENFIELD

County of Rockingham)
)
State of New Hampshire)

I, Jeffery Greenfield, being of sound mind and body do hereby swear and affirm the following:

1. In October and November 2005, I, individually, and as a member of 1st Approach, LLC, was a member, and the leader of, a creative team that formulated a multi-media branded entertainment marketing program called 'Amazing Grace', which was the 'Search for America's Top Church Choir', and which was later presented by Erwin-Penland to the Captain D's restaurant chain as a branded entertainment program. Prior to the aforesaid

presentation, Erwin-Penland changed the name of the program from 'Amazing Grace', the first line of the hymn to "How Sweet the Sound", the second line of the hymn.

2. I was consulted by Erwin-Penland and I gave my consent to the change of the name from "Amazing Grace" to "How Sweet the Sound".

3. It was my understanding from my many discussions with Joe Erwin and others at EP that should our joint efforts over many months on "How Sweet the Sound" be successful with either an Erwin-Penland or a 1st Approach client, that I would share creative credit, compensation and ownership for my efforts together with Erwin Penland.

4. During the aforesaid creative process over many months, I participated as a full partner in the effort which created all aspects of "How Sweet the Sound". Many times, both orally and in writing, I made my intentions and expectations regarding the creative ownership, and the allocation of the fruits of our labors, very clear to Erwin-Penland. At no time prior to VZW's acceptance and subsequent nation-wide launch of the program did Erwin-Penland object to my stated intention and expectation.

5. Erwin-Penland did not win the agency contract with Captain D's, but shortly thereafter, I agreed to Erwin-Penland's request that I undertake many months of work to modify "How Sweet the Sound" for its presentation to Verizon Wireless.

6. I worked extensively with Erwin-Penland over many months in devising new features for, and \ or changing existing features, of the original program. As a result of my work on "Amazing Grace," and my substantial contributions to "How Sweet the Sound", I am the creator or the co-creator of "How Sweet the Sound" which Verizon Wireless and EP are commercially exploiting to their mutual benefit. My involvement in the development of the program included creating and \ or working upon every single

aspect of the program, from the local marketing aspects, e.g. the Pastor Packet, to the integration of all of the program elements.

7. Most of my communications to Erwin-Penland and my contributions to the program were done via email. I would often send attachments detailing local and national marketing strategies that I conceived, created, reduced to writing and sent to my partners at Erwin-Penland. All emails and attachments included statements designed to protect Jeffrey Greenfield/1st Approach ideas.

8. On February 15, 2006, I informed Erwin-Penland that I had registered "How Sweet the Sound" in my name and in the name of Joe Erwin with the Writers Guild of America with the following description:

"How Sweet the Sound"
The Search for America's Top Church Choir

"How Sweet the Sound" is an 'American-Idol' style competition for church choirs. Through a series of regional competitions, regional winners will travel to a final competition where they will compete for prizes and be name 'America's #1 Church Choir'

The purpose of the registration was to obtain protection over the "How Sweet the Sound" concept which included my proprietary ideas, the fruits of my labors, and several trade secrets. At no time did Joe Erwin, Erwin-Penland, or anyone at Erwin-Penland, object to my registration of "How Sweet the Sound" with the Writers Guild.

9. As the "How Sweet the Sound" VZW presentation deck was transferred between me and EP, and within EP, and as we were nearing the VZW presentation date on April 26, 2006, the deck included details identifying Jeffrey Greenfield/1st Approach as the co-creator of the concept, and the deck was properly copyrighted to "Erwin-Penland/1st Approach". I believed that the copyrights of the content and the trade secrets, along with

my own confidentiality language adequately protected my interests, as well as evidenced the fact that Erwin-Penland considered Jeff Greenfield/1st Approach a partner, just as I considered Erwin Penland my partner.

10. I created many of the presentation details, e.g. I detailed a number of methods by which the campaign, including all of its attributes, including but not limited to intellectual property interests, trademarks and domain name registrations, could be transferred into an entity and thereby be owned by the two partnering co-creators, on the one hand, and by VZW, as direct sponsor of the church choir competitions, and media and other opportunities arising from it, on the other. These joint ownership concepts were incorporated into the April 26, 2006 presentation deck to VZW.

11. At my own expense, I traveled to New Jersey to make the pitch to Verizon Wireless with my partner, Erwin-Penland, on April 26, 2006.

12. At the pitch, I was the lead spokesperson on a number of key sections of the "How Sweet the Sound" presentation to Verizon Wireless, and I am listed in the presentation deck as part of the "How Sweet the Sound" Team, as the co-creator of it, and on the last page of the deck, the copyright includes both Erwin-Penland and 1st Approach.

13. VZW's response to the group presentation was positive; however, Verizon Wireless wanted to lower the costs of the program, and scale back the television aspect of "How Sweet the Sound". VZW requested that modifications be worked out and re-presented.

14. Thereafter, I continued my work with Erwin-Penland on the requested VZW changes from April 2006 through June 2006, including our joint production of the May,

2006 presentation deck. Thereafter, I continued to work on revisions to the "How Sweet the Sound" program with Erwin-Penland. As part of this work, on a June 9, 2006 conference call, Joe Erwin referred to the Erwin-Penland - Jeffrey Greenfield/1st Approach arrangement and collaboration as a "partnership", and I believed that Erwin-Penland was my partner in "How Sweet the Sound". The second version (Revision #1) of the "How Sweet the Sound" presentation included a series of smaller events around the country, with either a one-hour televised special or a documentary. The presentation \ proposal was sent via email to Verizon Wireless executives on June 19, 2006.

16. After receiving limited updates from EP as to the status of VZW's consideration of the program, on November 22, 2006, I wrote to Erwin-Penland requesting a 'final word' on the status of "How Sweet the Sound". In this email, I said that if VZW had officially turned it down, I would like to "take the program to other clients."

17. After being assured by Erwin-Penland that Verizon Wireless was interested, and that there were active discussions, I did not take "How Sweet the Sound" to other clients as I was planning to do. These assurances by Erwin-Penland affirmed my belief that I was a partner in the program, that my ideas and contributions were being protected, and that VZW was likely to adopt and roll-out the campaign nationally.

18. In early 2007, and following my statement that I wanted to "take the program to other clients", Erwin-Penland stopped responding to the numerous requests for status reports on "How Sweet the Sound" which I sent to EP on January 26, March 29 and July 26, 2007.

19. In March 2008, I was contacted by Erwin-Penland by phone and I was told that a 'pilot' of "How Sweet the Sound" had been done in Memphis in October 2007.

20. In July 2008, I was informed through third parties that Verizon Wireless was rolling out "How Sweet the Sound" on a National basis for 2008 and that it would include several local events.

21. Verizon Wireless sponsored 11 events and a finale in 2008, and 11 events and a finale in 2009.

22. In 2009, Black Entertainment Television ("BET") aired a 1-hour documentary on "How Sweet the Sound", as was contemplated in the May 2006 presentation deck which I prepared with EP.

23. On Thanksgiving weekend 2009, the Gospel Music Channel aired a 1-hour TV show on the finale of the choir competition for the 2009 "How Sweet the Sound" entries. This too was contemplated in the May 2006 presentation deck which I prepared with EP.

24. To date, I have not been compensated for, or received any attribution for, my work upon, and creative and labor-intensive contributions to, "How Sweet the Sound" by either Erwin-Penland or Verizon Wireless.

25. In June 2009, I became aware that "How Sweet the Sound" was nominated for a prestigious Effie Award, and I instructed my counsel to write to Verizon Wireless and Erwin-Penland to demand proper attribution on my behalf, which both refused.

26. I was not consulted by EP in its trademark and domain name registrations of "How Sweet the Sound", and I did not approve said registrations.

FURTHER THE AFFIANT SAYETH NOT!

A handwritten signature in black ink, consisting of a stylized 'J' followed by a long horizontal stroke that ends in a small upward flick.

Jeffrey Greenfield

Subscribed to and sworn to before me this 1st day of March, 2010.

Nicole Scamman

Notary Public

My Commission Expires: 1/16/2013



EXHIBIT M

From: Jeff Greenfield <jeff@buzznation.com>
Sent: Friday, January 26, 2007 11:03 AM
To: Allen Bosworth <allen.bosworth@erwinpenland.com>
Subject: How Sweet The Sound

Allen -

Can you forward me over the latest deck?

Thanks.

From: Jeff Greenfield
Sent: Thursday, January 11, 2007 9:32 AM
To: Jeff Greenfield; 'Allen Bosworth'; 'Joe Erwin'
Cc: 'Shannon Wilbanks'
Subject: RE: Hottest Moms In America

Happy New Year everyone!

What is the latest update?

Jeff

From: Jeff Greenfield
Sent: Wednesday, November 22, 2006 10:42 AM
To: Allen Bosworth; Joe Erwin
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

Excellent. Please give me an update after that call.

Thanks.

Jeff Greenfield
Buzznation LLC

Direct: 603-617-2985
Mobile: 603-865-4664
Fax: 603-299-0775

From: Allen Bosworth [mailto:allen.bosworth@erwinpenland.com]
Sent: Wednesday, November 22, 2006 10:40 AM
To: Jeff Greenfield; Joe Erwin
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

It's still being looked at by VZW as a deal with Yahoo Music and either Sony or EMI. There's a call next week on it. More to come. Yahoo Music is very interested as the backbone content delivery option.

Allen

From: Jeff Greenfield [mailto:jeff@buzznation.com]
Sent: Wednesday, November 22, 2006 9:51 AM
To: Allen Bosworth; Joe Erwin
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

Allen -

Can you give me a final word on the status of 'How Sweet The Sound' with Verizon? If they have officially turned it down, then I would like to take the offer to other clients.

Thanks.

Jeff Greenfield
Buzznation LLC

Direct: 603-617-2985
Mobile: 603-865-4664
Fax: 603-299-0775

From: Allen Bosworth [mailto:allen.bosworth@erwinpenland.com]
Sent: Friday, October 20, 2006 3:51 PM
To: Joe Erwin; Jeff Greenfield
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

I can't imagine that this is something Verizon Wireless would want to participate with.

Allen

From: Joe Erwin
Sent: Friday, October 20, 2006 3:37 PM
To: Jeff Greenfield; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

Allen can likely give you a better thought on how'd they view this, but my gut is that this isn't something they'd be interested in.

From: Jeff Greenfield [mailto:jeff@buzznation.com]
Sent: Thursday, October 19, 2006 7:41 PM
To: Joe Erwin; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

Joe -

What's your thought on involving Verizon as a partner in Hottest Mom?

Watch this clip: <http://www.buzzmarketing.com/insider>

Jeff Greenfield
Principal, Buzznation Productions: a Buzzmedia Company
Editor, Product Placement News

Direct: 603-617-2985

EP003252

Fax: 603-299-0775

From: Joe Erwin [mailto:Joe.Erwin@erwinpenland.com]
Sent: Wednesday, September 13, 2006 10:22 AM
To: Jeff Greenfield; Allen Bosworth
Cc: Shannon Wilbanks
Subject: RE: Hottest Moms In America

Thanks Jeff. Sounds like a potential winner.

On the Verizon Wireless front, they are still talking at Corporate, though it sounds like the network TV show may be a casualty. They are more interested in their relationships with online partners. We had a brief call with Suzy about a week ago and we will likely find out more about what they are thinking soon – perhaps by late next week. Once we have an understanding of what they want to do with How Sweet The Sound, I'll get back to you.

Joe

From: Jeff Greenfield [mailto:jeff@buzznation.com]
Sent: Tuesday, September 12, 2006 9:57 AM
To: Allen Bosworth; Joe Erwin
Subject: Hottest Moms In America
Importance: High

Allen & Joe -

Here is the current show in production

Jeff



September 12, 2006

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Wrinkle Treatment Gets a New Line
**Medicis Seeks to Broaden
Market by Creating Contest
For 'Hottest Mom in America'**
By RHONDA RUNDLE
September 12, 2006; Page B2

Medicis Pharmaceutical, the maker of the cosmetic treatment Restylane, faced a marketing challenge.

EP003253

How do you make antiwrinkle injections appeal to mainstream women?

The solution: Produce your own reality show. Last week, the Scottsdale, Ariz.-based company began recruiting women to compete for the title of "Hottest Mom in America" in a contest the company hopes to film and sell to a TV network. Designed for suburban moms, the contest winner will receive a college scholarship for her child and will become an official Restylane spokeswoman.

The show is part of a broader marketing campaign for Restylane, using the Internet, blogs and television spots, aimed at women across America who might not think of themselves as customers for **Medicis Pharmaceutical's** top product: a regimen of twice-yearly injections that can cost a total of \$2,000 or more to maintain.

Less than three years after it hit the U.S. market, Restylane has become a popular beauty treatment for some affluent women, but Medicis sees an enormous untapped market that it wants to reach with the hoped-for TV show and intertwined "viral marketing" campaign.

Conscious that a heavy-handed promotion of Restylane could turn off potential viewers, Medicis won't overtly push the treatment in the show. Physicians who specialize in facial rejuvenation will advise and probably treat the women on camera. Participating doctors could mention Restylane as a possible treatment although they are also free to recommend treatments that aren't sold by

Medicis, the company says.

The contest is supposed to identify "a woman who is in tune with her family, involved in her community and in touch with her femininity," according to a letter that Medicis mailed last week to its customers -- the hundreds of dermatologists, plastic surgeons and other medical specialists who prescribe Restylane. The letter also invites those physicians to encourage their patients to participate in the pageant.

Medicis doesn't have a TV deal lined up so it is unclear when or where the show will air. But to produce the show, the dermatology company has recruited some savvy Hollywood hands, including award-winning producer John Feist -- one of the original producers of the iconic CBS reality show "Survivor" -- and Jamie Gold, a former celebrity talent-agent-turned-television producer. "Hottest Mom in America" is the initial project for Buzznation Productions, a TV venture started last year by three partners including Mr. Gold and Mark Hughes, a word-of-mouth marketing guru and author.

"If the show is done in a classy way there's no reason why it wouldn't be picked up by some network," says Mr. Gold. A big selling point, he adds, is that networks won't have to pay for marketing since Medicis is bankrolling an initiative to build buzz around contest auditions in five U.S. cities and Toronto. It is possible, he concedes, that the show could end up on a niche channel geared to women, or Medicis could be left with no alternative than to pay for air time. Medicis says it will produce at least 13 one-hour episodes.

The new promotion comes as Restylane is facing its first big competitive threat. Since its U.S. debut in January 2004, Restylane has enjoyed a virtual monopoly for dermal fillers, which are used to plump up deep facial lines, especially between the nose and chin. Irvine, Calif.-based **Allergan** is expected to soon

start selling Juvederm, a rival filler approved by the Food and Drug Administration in February. Allergan, a much larger company than Medicis, practically created the cosmetic-medicine market with its antiwrinkle muscle-relaxer, Botox, used around the eyes and forehead. When Juvederm hits the market, patients and their doctors will for the first time have a choice between it and Restylane to treat the lower part of the face.

Medicis Chairman Jonah Shacknai says the "Hottest Mom in America" project was in the works before Juvederm's approval. He said "this is the largest single investment we've ever made in any promotion," but declined to give a dollar figure.

Two episodes will be filmed in each city -- Dallas, Miami, Chicago, New York, Los Angeles and Toronto -- and the winners will face off at the finale. Judges will include a local media celebrity, a physician, a young adult, and a child aged about 10 to 12.

Buzznation has sent people to Dallas, ahead of the first contest taping at the city's Reunion Arena on Saturday. The advance scouts, wearing black "production team" T-shirts with the "Hottest Mom in America" logo, are this week visiting hair salons, spas and health clubs in targeted upscale neighborhoods. Their job is to persuade these establishments to post mirror-clinging decals that promote auditions to the TV show as well as an 800-number and Web site, HottestMominAmerica.com. In some cities, 30-second TV spots will be used to advertise auditions.

Ten finalists will be selected in each city. The episodes will include interviews with the women, their family members and neighbors, much like other TV shows in the reality genre. Banter with the judges -- including contestants' responses to edgy or embarrassing questions about whether cosmetic treatments represent "cheating" -- will be part of the fare.

"I didn't really like 'Extreme Makeover' and 'Swan' -- shows that were overdone and sensationalized plastic surgery," says Michael Kane, a New York City plastic surgeon and Medicis consultant. The contestants were looking to drastically change their lives, which he claims is "exactly the wrong message" for most patients. By contrast, he says, contestants on "Hottest Mom in America" will be women with fulfilling family and professional lives who merely want "a little bit of help" to look good.

Write to Rhonda Rundle at rhonda.rundle@wsj.com¹

URL for this article:

<http://online.wsj.com/article/SB115802072450160097.html>

Hyperlinks in this Article:

(1) <mailto:rhonda.rundle@wsj.com>

EXHIBIT N

From: Joe Erwin
Sent: Wednesday, May 9, 2007 12:46 AM
To: Allen Bosworth <allen.bosworth@erwinpenland.com>
Subject: RE: HSTS

I think we should talk about it, and likely then call Jeff. This is about 50% his idea and he comes from a world in which "intellectual property" is a very big thing.

From: Allen Bosworth
Sent: Friday, May 04, 2007 4:11 PM
To: Joe Erwin
Subject: FW: HSTS

Joe:

What's your opinion on this? We are only doing this locally in Memphis as a test. It may never progress beyond that.

Allen

From: Ryan Alford
Sent: Friday, May 04, 2007 3:24 PM
To: Allen Bosworth
Subject: HSTS

Allen,

Do you know if we need to do anything for Jeff Greenfield(sp?) from LA concerning HSTS? Andy mentioned we made need to check because he owns part of the idea. Any thoughts on this?

Ryan

Ryan Alford
Management Supervisor

Erwin-Penland
864.672.2815 office
864.271.5312 fax
864.918.9230 cell

From: Beth Carter
Sent: Friday, May 11, 2007 4:02 PM
To: Allen Bosworth <allen.bosworth@erwinpenland.com>
Subject: How Sweet the Sound Memphis
Attach: SweetSound_verizon.jpg

Allen,

As you know, we are moving forward with How Sweet the Sound in Memphis. We're planning to use the name and the graphic developed for the national program.

Is there any issue with the original producer partners (Jeff Greenfield, Doug?)?

Also, can we trademark How Sweet The Sound - or is this 'owned' by someone other than VZW/EP?

Beth

Beth Carter
Erwin-Penland
Direct: 864-672-5544
Cell: 864-420-3078

-----Original Message-----

From: Jeff Hoffman
Sent: Friday, May 11, 2007 3:54 PM
To: Beth Carter
Subject: FW: How Sweet the Sound Memphis

Robyn attached is the Logo and copy treatment we have proposed for HSTS. This logo treatment will be utilized in all of the printed materials, signage and online components etc. We wanted to maintain a very grass roots look and feel. The colors lend themselves to be more subdued and the font has a tad of treble clef look to them. We recognize that Verizon Wireless is not sponsoring this event however they are bringing it to you. Essentially we have created a brand and feel it needs to maintain its own visual integrity while Verizon Wireless is the foundation of the logo.

Please review and let me know that it is approved for further use.

Our recommendation is the second logo with the Black VZW logo.

Jeff Hoffman
Account Supervisor
Erwin Penland Advertising/ Hill Holliday
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